

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DEANGELO J. WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:20-CV-1655-PLC
	)	
DANIEL KEEN, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court upon review of the file. On March 16, 2021 and May 11, 2021, the Court ordered self-represented Plaintiff DeAngelo J. Williams, a pretrial detainee at St. Charles County Detention Center (“the Jail”), to submit an amended complaint. [ECF Nos. 6, 8]. Plaintiff has not complied, and the time for doing so has passed. Therefore, for the reasons discussed below, this action will be dismissed without prejudice. *See* Fed. R. Civ. P. 41(b).

On November 23, 2020, Plaintiff filed this prisoner civil rights case under 42 U.S.C. § 1983 seeking injunctive and monetary relief from nine Defendants who, Plaintiff claimed, were employees of the Jail. [ECF No. 1]. Plaintiff alleged Defendants violated his rights under the Eighth and Fourteenth Amendments due to their allegedly deliberate indifference to his serious medical needs and, as to two Defendants, their alleged failure to train the Jail’s medical staff. Additionally, Plaintiff sought leave to pursue this lawsuit as an indigent litigant, i.e., without prepaying fees or costs or by proceeding *in forma pauperis*.

On March 16, 2021, the Court granted Plaintiff’s motion for leave to proceed *in forma pauperis* and reviewed his complaint pursuant to 28 U.S.C. § 1915. [ECF No. 6]. The Court

provided a detailed explanation of why the claims in his complaint were subject to dismissal against each named Defendant and provided him with instructions on how to prepare an amended complaint. The Court directed Plaintiff to pay the initial filing fee and file an amended complaint within thirty days, or by April 15, 2021.

On May 3, 2021, Plaintiff filed a motion for appointment of counsel. [ECF No. 7]. Plaintiff did not, however, submit an amended complaint or pay the initial filing fee as directed. On May 11, 2021, the Court denied Plaintiff's request for appointment of counsel, and provided him with an additional thirty-day period in which to submit an amended complaint as per the instructions from the March 16, 2021 Order. [ECF No. 8].

On June 23, 2021, the Court, upon its own motion, consolidated *Williams v. Keen*, 4:21-CV-534-SRC (E.D. Mo.) ("*Williams 2*") into the instant case pursuant to Federal Rule of Civil Procedure 42. The two cases were consolidated because the amended complaint Plaintiff submitted in *Williams 2* was an identical copy of the operative complaint in this case. *Compare* [ECF No. 1] to *Williams v. Keen*, 4:21-CV-534-SRC (E.D. Mo.) [ECF No. 8]. In the Order consolidating the two cases, the Court instructed Plaintiff that he was "still expected to file an amended complaint" in the instant case "pursuant to the Court's instructions on March 16, 2021." [ECF No. 9 at 2].

Plaintiff's amended complaint and initial filing fee were due to the Court on June 30, 2021. To date, however, Plaintiff has neither complied with the Court's Order, nor sought additional time to do so. The Court gave Plaintiff meaningful notice of what was expected, cautioned him that this case would be dismissed if he failed to timely comply, and gave him additional time to comply. Therefore, this action will be dismissed without prejudice due to Plaintiff's failure to comply with this Court's March 16, 2021 and May 11, 2021 Orders and his failure to prosecute this case. *See*

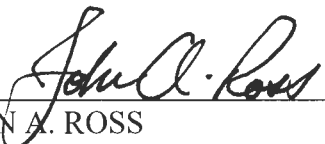
Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803-04 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order); *Dudley v. Miles*, 597 F. App'x 392 (8th Cir. 2015) (per curiam) (affirming dismissal without prejudice where self-represented plaintiff failed to file an amended complaint despite being cautioned that dismissal could result from failure to do so).

Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

**IT IS HEREBY CERTIFIED** that an appeal from this dismissal would not be taken in good faith.

Dated this 16<sup>th</sup> day of July, 2021.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE